

State of Iowa Electrical Examining Board Meeting Minutes
August 18, 2022
Approved

Board Members Present

John Claeys
Marg Stoldorf (by phone, arrived at 10:09 a.m.)
Tim Gerald, Vice Chair
Dan Wood
Colby Black
Luiza Fritz
Luke Maloney
Jonathan Gettler
Amanda Cooling

Staff Members Present

Brian Young, Executive Secretary
John Lundquist, Assistant Attorney General, Iowa Attorney General's Office
Cindi Hayes, Secretary 2

Public Present

Mike Anderson – City of Davenport Inspector

Public Present by Conference Call

Nick Galm – City of Hartley City Council member
Roxann Swanson – City of Hartley City Council member
Erica Haack – City of Hartley City Clerk Administrator
Jaron Benz – City of Hartley Superintendent of Public Works
Mary Westphalen - City of Hartley City Council member (Joined at 10:35 a.m.)

VC Gerald called the meeting to order at 10:03 a.m., and asked for an introduction of Board members attending in person and by conference call. VC Gerald asked guests in attendance and by conference call to introduce themselves.

VC Gerald moved to the first item on the agenda, which was "Approval of the meeting minutes from June 16, 2022". Maloney made a **motion** to **accept the minutes as written**. Stoldorf **seconded** the motion. 9 Aye, 0 Nay. All in favor; motion carried unanimously.

VC Gerald then turned the meeting over to ES Young. The next item on the agenda was "Report of the Executive Secretary". ES Young reviewed the financial report, which was previously provided to the Board for their review, and directed the Board's attention to revenue and expense items.

The next item on ES Young's report was the civil penalty letters for electricians working without licenses. Those individuals receiving civil penalty letters were: *Alexander DeNeui, Luis Roque, Caleb Haltom, Matthew Hendrych, Zachary Marsh, Robert Parrish, Austin Guile, Brandon Adams, Maden Tacey, Josiah Schurter, Michael Wells, Cameron Eubanks, Brandon Sturtevant, Jacob Stille, Matthew Johnson, Jesse Schutterle, Dustin Welvaert, Trey Held, Dylan Applegate, Alan Stalcup, Justin Pehl and William Markle*. Black made a **motion** to **approve the letters**, and Claeys **seconded** the motion. 9 Aye, 0 Nay. All in favor; motion carried unanimously.

The next item on ES Young's report was, "Vote on Settlement Agreement & Consent Order – Gary Colby Jr. – Iowa Power Electric LLC". ES Young stated that Mr. Colby agreed with everything in the Settlement Agreement and Consent Order and is asking the Board for a vote. AAG stated that the terms of the agreement were consistent with the instructions that staff were given at the last meeting. VC Gerald asked for a motion. Black made a **motion** to **approve the Settlement Agreement and Consent Order**, and Cooling **seconded** the motion. 9 Aye, 0 Nay. All in favor; motion carried unanimously.

The next item on the agenda was, "Update on City of Bettendorf electrical inspections". AAG Lundquist stated he did not have much to report and has sent communication to the City of Bettendorf City Attorney this week and will respond to ES Young when a reply is received. VC Gerald asked AAG Lundquist why this seemed to be taking so long to get the city in compliance. AAG Lundquist stated that the City of Bettendorf adopted the 2020 NEC last fall, and there were some questions as to whether or not, this spring, if state legislation would pre-empt how this Board would enforce upon local authorities to inspect as per the 2020 NEC. Upon conclusion of the legislative session not going anywhere, AAG Lundquist was to reach back out to the City regarding compliance. CP Stoldorf asked what the next step was, to which AAG Lundquist replied that he would wait for the City's reply. Short of the State taking over the City's inspections, if they are not going to enforce the NEC adopted by the Board and mandated by the legislature, the hope is to work with the City. Stoldorf asked about the non-conforming amendments in their code; AAG Lundquist indicated those code items have been removed from their code and it is his hope the city will provide the safety assurance current standards require. CP Stoldorf asked that since this has been an on-going issue, what the next step is. AAG Lundquist stated he would need to review Iowa Code 103 and see how it can be applied to this situation as this is uncharted territory. ES Young responded to the question, if IEEB could handle the additional workload if IEEB were to takeover inspections, by saying with the current Inspectors and their locations, it would not be a hardship. The Board indicated that change should be explored. CP Stoldorf asked AAG Lundquist to research and get back to the Board. This matter will be tabled to the next Board meeting.

The next item on the agenda was "Discussion on licensure/permitting issues". The Investigative Subcommittee met recently and the only case that is ready for discussion is Case #22-064. The investigative subcommittee met with the general contractor and a plan forward was presented. ES Young asked for guidance from the Board on how to proceed. The Board requested that the state's electrical inspector be allowed to complete inspections as required, in addition to the requirement that engineers sign off on their portion of the plans and progress. ES Young stated that copies of permits and inspection reports are available to all via our public website or by contacting the IEEB office. VC Gerald called for a motion. CP Stoldorf made a **motion to continue to work with their general contractor and their new electrical contractor, on-site, to verify that the rebar is installed correctly for the pool shell, per the scope of work provided, tied, bonded and completed correctly, along with the original engineer's certification to the IEEB and the city specifying the rebar in the pool shell was installed in accordance with their designed plans, scope of work, and the 2020 NEC. Also for the electrical inspector to visibly verify additional metering tests performed on-site by the new electrical contractor for reassurance of pool bonding integrity of 5 ohms or less per specifications resistance**. Claeys **seconded** the motion. 9 Aye, 0 Nay. All in favor; motion carried unanimously.

The next item on the agenda was "Public Comment Period". Public in attendance did not have any comments.

The next item on the agenda was "Formal Hearing – Case #22-023", will be held at 1:30 p.m. today.

The next item on the agenda was "Other Board Business". ES Young stated that the next Board meeting will be October 20, 2022 at 10:00 a.m. ES Young also stated he is working with the Administrative Law Judge (ALJ) to set up a date and time for the next formal hearing to take place. Due to scheduling issues with the hearing, the date of the next Board meeting may change. ES Young gave out other dates for consideration, October 4, 2022 or October 13, 2022. ES Young will inform the Board with the exact date, once he hears from the ALJ. ES Young also brought to the Board's attention that Jeremy Price's confirmation to the Board was withdrawn and there are two vacant seats on the Board.

VC Gerald called for a motion to adjourn the meeting, noting that the Formal Hearing will take place at 1:30 p.m. CP Stoldorf made a **motion** to **adjourn**. Black **seconded** the motion. 9 Aye, 0 Nay. All in favor; motion carried unanimously. Meeting adjourned at 10:48 a.m.

Respectfully submitted,

Cindi Hayes, Secretary 2